Appl. No.: 10/728,349
Amdt. dated 11/18/2005
Reply to Office action of June 28, 2005 and the Advisory Action dated September 12, 2005

REMARKS

This Amendment is filed in response to the Office Action dated June 28, 2005 and the Advisory Action dated September 12, 2005. Applicants first note with appreciation the thorough examination of the application as evidenced by the Office Action and Advisory Action. In response to the Office Action, Applicants have amended Claims 1, 5, and 10. (These amendments were not made in light of the prior art.). Applicants respectfully submit that the claims as amended are patentable over the cited references and therefore request reconsideration and allowance of the claims in light of the remarks below.

On page 2, the Office Action rejects Claims 1-11 as obvious in light of U.S. Patent No. 6,013,108 to Karolys in combination with an article by Gorry Fairhurst entitled "Manchester Encoding" and/or U.S. Patent No. 4,449,119 to Hanna. Applicants respectfully submit that the claims, as amended, are patentable.

Specifically, independent Claims 1, 5, and 10 recite that the bus controller transmits messages and commands to the network device at a bit rate selected from a predetermined number of different bit rates. The claims further recite that the network device analyzes the signals from the bus controller and determines which of the bit rates from the predetermined number of different bit rates that the bus controller is using. Applicants respectfully submits that the '108 Karolys patent in combination with either the Fairhurst article of the '119 Hanna patent no where teaches or suggests this aspect of the claimed invention. At best, these references disclose a clock recovery system for synchronizing a receiver with the bit rate of a transmitted signal. The present invention is not a clock recovery system. Instead, the claimed invention is directed to an automatic clock rate detection system for a finite number of desirable clock rates. The claimed invention provides a mechanism that automatically switches to another predetermined bus rate when messaging using another bus rate is presented to the receiver. Nowhere do these references teach or suggest transmitting signals at a bit rate selected from a predetermined number of different bit rates and analyzing the signal to determine which of the predetermined bit rates is being used, as is recited in the claims.

In light of the above, Applicants respectfully submit independent Claims 1, 5, and 10, as well as the claims that depend therefrom, are patentable over the cited references. It is therefore
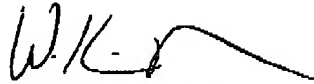
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respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.
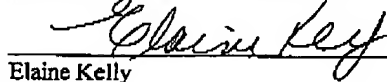
Respectfully submitted,

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.

_____   11-18-05
Elaine Kelly   Date

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